

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2449 - SB 2630**

February 23, 2016

**SUMMARY OF BILL:** Establishes that it is an unfair or deceptive practice affecting the conduct of any trade or commerce to attempt to seize funds in a consumer's bank account when owed for the purchase of goods or services.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- It is currently unlawful for any business owner which sells goods or services to seize funds from any consumer's bank account without the consent of the consumer.
- If a consumer fails to pay for goods or services received, the business owner would have a cause of action and may seek restitution by filing suit.
- Should the plaintiff or business owner win the court case, the court may garnish wages up to the allowable amount provided pursuant to Tenn. Code Ann. § 26-2-106.
- This legislation is assumed not to affect wage garnishment enforced through court order.
- Committing an unfair or deceptive practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

**IMPACT TO COMMERCE:**

**NOT SIGNIFICANT**

Assumption:

- This legislation will have no significant fiscal impact on commerce or jobs in Tennessee.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/jdb